

**IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION**

PNC Bank, National Association, successor )  
to National City Bank, )  
Plaintiff, )  
v. )  
Glenn Udell; Pamela Udell; Sorrento Enterprises, )  
LLC; Sorrento Enterprises, LLC – Series A; )  
Sorrento Enterprises, LLC – Series B; Sorrento )  
Enterprises, LLC – Series C; Sorrento Enterprises, )  
LLC – Series D; Sorrento Enterprises, LLC – Series )  
E; Sorrento Enterprises, LLC – Series F; Sorrento )  
Enterprises, LLC – Series G; Sorrento Enterprises, )  
LLC – Series H; Sorrento Enterprises, LLC – Series )  
I; Sorrento Enterprises, LLC – Series J; Sorrento )  
Enterprises, LLC – Series K; Sorrento Enterprises, )  
LLC – Series L; Sorrento Enterprises, LLC – Series )  
M; Sorrento Enterprises, LLC – Series N; Sorrento )  
Enterprises, LLC – Series O; Sorrento Enterprises, )  
LLC – Series P; Sorrento Enterprises, LLC – Series )  
Q; Sorrento Enterprises, LLC – Series R; Sorrento )  
Management, Inc. and Chicago Title Land Trust as )  
trustee under trust agreement dated May 19, 2008 )  
and known as trust number 8002350906, )  
Defendants.

Case No. 16 CV 5400

**DEFENDANTS' MOTION FOR AN EXTENSION OF TIME  
TO FILE REPLY IN SUPPORT OF MOTION FOR SUMMARY JUDGMENT**

Defendants respectfully move, by and through their attorneys, Brown, Udell, Pomerantz & Delrahim, Ltd., and pursuant to Federal Rule of Civil Procedure 6(b), for an Order granting Defendants an extension of time, to and including April 10, 2017, to file their Reply in Support of Defendants' Motion for Summary Judgment (Doc. Nos. 43, 47-48). In support of this motion, Defendants state as follows:

1. Plaintiff filed its Amended Response to Defendants' Motion for Summary Judgment on March 14, 2017, with an accompanying response to Plaintiff's Rule 56.1 Statement of Facts and Statement of Additional Facts (Docket Nos. 82, 75).

2. By prior Order of Court, Plaintiff's Reply was due on April 5, 2017
3. Defendants seek an extension of three business days, until April 10, 2017, to file their Reply brief.
4. As the Court is aware, individual defendant, Glenn Udell is a practicing attorney. Mr. Udell presently is serving as lead attorney for an ongoing jury trial in the Circuit Court of Cook County. *Kodjaviakian v. The Cheesecake Factory*, 12 L 13666. For a period in advance of the April 3, 2017 commencement of that trial, Mr. Udell was involved in intensive preparations for the same, which included, *inter alia*, numerous *motions in limine* and preparation of fact and expert witnesses. That trial is ongoing as of the filing of this Motion.
5. Defendants and their counsel, because they were admittedly aware of the upcoming trial, have worked diligently and in good faith to complete their summary judgment Reply, but have been unable to do so in the time allowed in light of Mr. Udell's substantial unavailability. Mr. Udell's input with respect to the Reply is critical, not only with respect to the substance of the Reply, but especially with regard to Defendants' ability to admit or deny the more than 50 statements of "additional facts" and numerous documents included in PNC's Local Rule 56.1 response. (*See, e.g.*, Doc. No. 75 at ¶¶35-87 and exhibits thereto).
6. Defendants and their counsel are aware of the seriousness of the Court's deadlines and that there should not be an expectation of routine extensions. Accordingly, Defendants initially held off on filing this Motion in a good faith attempt to comply with the deadline, but perhaps misjudged the extent to which the pendency of Mr. Udell's ongoing jury trial would interfere with the undersigned counsel's efforts. Defendants seek only a three business day extension, until Monday, April 10, in order to minimize any potential delay in the resolution of this matter, and because the intervening weekend days of April 8 and 9, when Mr. Udell is not

engaged in a full-day jury trial, should be sufficient to obtain the needed input from Mr. Udell.

7. Defendants believe that the relief requested herein is appropriate in light of the relatively unique circumstances presented, but in light of the need to make this request for extension, will avoid requesting extensions with respect to any future briefing in this matter, absent a dire emergency.

6. Counsel for Plaintiff and Defendants previously consulted when Defendants anticipated that they needed only a one business-day extension, and counsel for Plaintiff advised that Plaintiff had no objection to such an extension. Counsel for Defendants has attempted to consult with counsel for Plaintiff with respect to an extension of two additional business-days, until April 10, 2017, but counsel for Plaintiff indicated that, as of the filing of this Motion, counsel had not received authority from his client to agree.

7. No party will be prejudiced by this short extension.

8. This motion is made in good faith and not brought for purposes of harassment or undue delay.

WHEREFORE, Defendants respectfully pray that this Honorable Court grant this motion for enlargement of time to file Defendants' Reply in Support of Motion for Summary Judgment to and including April 10, 2017, and for such further relief as the Court finds just and reasonable.

Dated: April 7, 2017

Respectfully submitted,

Glenn Udell;  
Pamela Udell;  
Sorrento Enterprises, LLC;  
Sorrento Enterprises, LLC – Series A-R; and  
Chicago Title Land Trust as trustee under  
trust agreement dated May 19, 2008 and  
known as trust number 8002350906,

By: /s/ Andrew A. Jacobson  
One of their attorneys

Andrew A. Jacobson (ARDC# 6211224)  
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